

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JPW

In re the Application of

Seiji SHIMIZU et al.

Application No.: 10/820,831

Filed: April 9, 2004

For: INK CARTRIDGE



MAIL STOP PETITION

Group Art Unit: 2861

Examiner: L. NGUYEN

Docket No.: 104205.02

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT -
NOTICE OF ALLOWANCE NOT RECEIVED**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned has received a Notice of Abandonment dated February 27, 2006, holding the above-captioned patent application abandoned for failure to pay the Issue Fee and Publication Fee within three months from the October 14, 2004 mailing date of the Notice of Allowance. The latter Notice of Allowance was not received in the offices of the undersigned. A search of the file jacket and docket records indicates that the Notice of Allowance was not received. A copy of the computerized docket record where the non-received Notice of Allowance would have been entered had it been received and docketed is attached. Applicants also enclose a copy of the Patent Office PAIR records where the October 22, 2004 entry indicates that the Notice of Allowance was returned as undelivered. The enclosed first page of that entry indicates that the Notice of Allowance was received on October 22, 2004 in Technology Center 2800. Applicants also note that the address of Applicants' representative is correct. Accordingly, in accordance with MPEP §711.03(c)I, it is respectfully requested that the Notice of Abandonment be withdrawn, and that the non-received Notice of Allowance be remailed to the attorneys of record.

As this Petition does not result from any error on the part of the undersigned, it is respectfully submitted that no Petition fee is due. However, please debit Deposit Account No. 15-0461 as needed in order to ensure that the Notice of Abandonment is withdrawn. Please telephone the undersigned if any questions arise in connection with this matter.

Respectfully submitted,

James A. Oliff
Registration No. 27,075

Scott M. Schulte
Registration No. 44,325

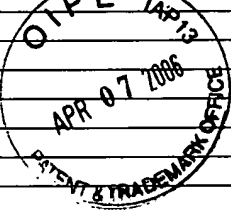
JAO:SMS/axl

Date: April 7, 2006

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>

CASE DETAIL REPORT**Docket No: 104205.02**

Status: Published		Creation Date: March 30, 2004
Property Type: Patent		Modified Date: March 23, 2006
Category: Divisional		
Country: U.S.		Billing Attorney: James A. Oliff
Expiration:		Working Attorney: Scott M. Schulte
Next Renewal:		Paralegal: Jude L. Cooney
Title: Ink Cartridge		

Priority Date: September 30, 1998	Entity Size: Large Entity
Application No: 10/820,831	Application Date: April 9, 2004
Registration No:	Registration Date:
Publication No: US-2004/0189754-A1	Publication Date: September 30, 2004
Group Art Unit:	Rank:

Client: BROTHER INDUSTRIES, LTD.	Client Ref 1: 19993423-03/Code: 57RG10
Client No: 11145	Client Ref 2:
Agent:	Agent Ref:
Assignees: BROTHER KOGYO KABUSHIKI KAISHA	Inventors: Seiji SHIMIZU Takamitsu KAWAI

Class:
Good/Services:
Remarks: NOTICE OF ABANDONMENT RECEIVED 03/03/06

Related Cases				
Case No.	Relationship	Country	Official Number	Priority Date
104205.01	Parent Of Divisional	US	6,739,707	

Standing Instructions		
Instruction Type	Instruction	From
Renewal	Renew only after instruction	OLIFF & BERRIDGE, PLC
Renewal Reminder	All reminders	OLIFF & BERRIDGE, PLC

Event Description	Event Date	Due Date	Notes
Fax Postcard		April 30, 2004	
Electronic Copy received		July 9, 2004	
Miscellaneous (Filing)		April 7, 2006	RESPONSE TO NOTICE OF ABANDONMENT (NOTICE OF ALLOWANCE NOT RECEIVED)
Status reply Received		April 7, 2006	
Earliest Priority Date	September 30, 1998	September 30, 1998	
Converted Renewal Date	September 30, 1999	September 30, 1999	
Foreign Filing Due	September 30, 1999	September 30, 1999	Updated automatically by SQL job to clear old due dates
Date of entry	March 30, 2004	March 30, 2004	
Instructions received date for new case	April 3, 2004		
APPLICATION DUE - Mail Date	April 9, 2004		
Application Filing Date	April 9, 2004		
Executed Declaration/Power of Attorney Filed	April 9, 2004		
Information Disclosure Statement	April 9, 2004		

CASE DETAIL REPORT**Docket No: 104205.02**

Event Description	Event Date	Due Date	Notes
Preliminary Amendment	April 9, 2004		
APPLICATION DUE - Due Date	April 9, 2004	April 9, 2004	
Filing Receipt Received	June 22, 2004		
Official Filing Receipt Received	June 22, 2004		
Publication of Application	September 30, 2004		
Status Check Filed	October 7, 2005		
Office Action Status Check	October 7, 2005	October 9, 2005	
Notice of Publication Received	December 9, 2005	December 9, 2005	PROJECTED PUB DATE 9/30/04
Date of last change	March 23, 2006	March 30, 2004	
Converted Expiration Date	September 30, 2019	September 30, 2019	



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10/820,831

INK CARTRIDGE

Application Data	Transaction History	Image File Wrapper	Patent Term Adjustments	Continuity Data	Foreign Priority	Published Documents	Publication Dates	Address & Attorney/Agent
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This application is officially maintained in electronic form. To View: Click the desired Document Description. To Print: Check the desired document(s) and click StartDownload.

Mail Room Date	Document Description	Page Count	Select All	Start Dow
02-27-2006	Abandonment	2		
10-07-2005	Status Letter Mailed to Applicant	2		
10-07-2005	Miscellaneous Incoming Letter	1		
10-22-2004	Mail returned to USPTO as undelivered	12		
10-14-2004	Notice of Allowance and Fees Due (PTOL-85)	4		
10-14-2004	Notice of Allowance and Fees Due (PTOL-85)	4		
10-14-2004	List of References cited by applicant and	2		



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NOTICE OF ALLOWANCE AND FEE(S) DUE

25944 7590 10/14/2004

OLIFF & BERRIDGE, PLC
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EXAMINER

NGUYEN, LAMSON D

ART UNIT

PAPER NUMBER

2861

DATE MAILED: 10/14/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,831	04/09/2004	Seiji Shimizu	104205.02	8481

TITLE OF INVENTION: INK CARTRIDGE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1370	\$300	\$1670	01/14/2005

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHT. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPO PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THE STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-5B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee Transmittal and pay the PUBLICATION FEE (if required) and the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issued on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is the patentee's responsibility to ensure timely payment of maintenance fees when due.

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